

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EARL D. WILSON,

Plaintiff,

v.

BAYVIEW LOAN SERVICING, L.L.C.,

Defendant.

Case No. 14-14525

Honorable John Corbett O'Meara

ORDER OF PARTIAL DISMISSAL

Plaintiff Earl D. Wilson filed a two-count complaint in this court, alleging violations of the Fair Debt Collection Practices Act in Count I and violations of Michigan's Regulation of Collection Practices Act in Count II.

Although Plaintiff's cause of action arising under federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. The parties to this action are not diverse; therefore, and the court declines to exercise supplemental jurisdiction over Plaintiff's state law claim in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Count II of the Complaint is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: February 27, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, February 27, 2015, using the ECF system.

s/William Barkholz
Case Manager